

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Davies, et al.

Application No.: 09/460556

Filed: 12/14/1999

Title: Aggregates in a Presence Management System

Attorney Docket No.: 126-005

Art Unit:  
2142

Examiner:  
Harrell

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Petition to Withdraw from Issuance

Dear Sir:

In response to Examiner Harrell's telephone message instructing Applicant's attorneys to resubmit a "complete IDS package," Applicants herewith resubmit the Petition to withdraw from Issuance and IDS which were submitted on July 9, 2007. Any additional fees are authorized to be charged to Deposit Account 502569.

Applicants petition to withdraw the above-identified application from issuance so that the references identified by the attached IDS may be considered when determining patentability. Although the Applicant had timely submitted the references, Applicant has recently been notified that the PTO did not consider the references because the originally filed IDS lacked a statement pursuant to 37 C.F.R. §1.97(e). A replacement IDS, including required statements is being filed concurrently herewith. Because physical copies of all references cited in the form 1449 have already been submitted, and can be found as part of the file wrapper for this application in PAIR, the physical references have not been resubmitted with this IDS; should the examiner wish for the physical copies references to be resubmitted, Applicant's attorneys would be happy to comply.

Withdrawal from issuance and re-consideration of this application in view of the cited prior art is respectfully requested. For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited.

July 11, 2007

Date

Docket: 126-005

978-264-4001

Respectfully Submitted,  
/Lindsay G. McGuinness/  
Lindsay G. McGuinness, Reg. No. 38,549  
McGuinness & Manaras LLP  
125 Nagog Park, Acton, MA 01720

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**STATEMENT UNDER 37 CFR 1.97(e)**

**Sir:**

The undersigned hereby certifies that at the time the resubmitted IDS was originally filed:

- (x ) No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned, after making reasonable inquiry, was known to an individual designated in 37 CFR 1.56 (c) more than three months prior to the filing of the Information Disclosure Statement.

Respectfully Submitted,

Davies et al.

By /Lindsay G. McGuinness/  
Lindsay McGuinness  
Attorney/Agent for Applicant(s)  
Reg. No.: 38549

Date: July 9, 2007

Telephone No.: 978-264-6664